AO 91 (Rev. 02/09) Criminal Complaint

United States District Court

for the
Western District of New York

United States of America

v.

CHRISTOPHER CHASE

Defendant

Case No. 17-MJ-1030

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

From on or about the date of March 10, 2017 through April 2, 2017, in the County of Erie, in the Western District of New York, the defendant did: use a facility or means of interstate commerce to knowingly persuade, induce, entice, or coerce any individual who has not attained the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense, namely Rape in the Third Degree and Criminal Sexual Act in the Third Degree in violation of New York State Penal Law Sections 130.25(2) and 130.40(2), in violation of Title 18, United States Code, Section 2422(b).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

KATHRYN M. GAMBLE, SPECIAL AGENT
HOMELAND SECURITY INVESTIGATIONS
Printed name and title

Sworn to before me and signed in my presence.

Date: April 3, 2017

Judge's signature

City and State: Buffalo, New York

JEREMIAH J. McCARTHY
UNITED STATES MAGISTRATE JUDGE
Printed name and title

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

I, Kathryn M. Gamble, being duly sworn, depose and state the following:

1. I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"). I have been employed as a Special Agent since June 2008. I am currently assigned to the HSI Special Agent in Charge in Buffalo, New York. As part of my daily duties as a Special Agent with HSI, I investigate crimes involving child exploitation and child pornography including violations pertaining to the transportation, production, distribution, receipt, and possession of child pornography, in violation of Title 18, United States Code, Sections 2252 and 2252A. I investigate crimes involving coercion and enticement in violation of Title 18, United States Code Sections 2422(a) and 2422(b). I have received formal and on the job training in the area of child pornography and child exploitation. I have participated in the execution of numerous search warrants involving child pornography and the seizure of computers and other storage media. I have interviewed many individuals involved in child pornography and the sexual exploitation of children.

2. I make this affidavit in support of a criminal complaint charging CHRISTOPHER CHASE, with a violation of Title 18, United States Code, Section 2422(b), using a facility or means of interstate commerce to knowingly persuade, induce, entice, or coerce any individual who has not attained the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense, namely Rape in the Third

Degree and Criminal Sexual Act in the Third Degree in violation of New York State Penal Law Sections 130.25(2) and 130.40(2).

3. All information contained in this affidavit is either personally known by me or has been related to me by other law enforcement agents. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that CHRISTOPHER CHASE did knowingly violate Title 18, United States Code, Section 2422(b).

4. On or about March 10, 2017, an individual on an online social networking application with username, "The Dark Father," initiated conversation with a female individual on the application. "The Dark Father" initiated this conversation by saying, "Cutie." The female replied, "Thx." "The Dark Father" then went on write, "Your very welcome baby girl; So, are you still looking for a boyfriend? And do you like older men?." The female replied, "I do; U like ynger girls?". "The Dark Father," then replied, "Yeah; Especially submissive ones; Well if you're interested in dating me give me your cell phone number so that I can send you a text message; So baby girl?". The female replied by saying that she just moved into the area, she is looking to meet new people, and provided her cell phone number.

5. On March 11, 2017, at approximately 12:30 AM, "The Dark Father" sent a text message to the female individual saying, "Hey kati it's me dark father from tagged." The two

engaged in casual conversation and within minutes of texting, "The Dark Father," asked, "Now the evil question are you really 18. The female replied, "Lol…maybe not...; Will that scare u away; Well I'm almost 16; Is that. Bad?". "The Dark Father" replied by telling the female that the only way he could date her was after she tuned 16 with her mother's consent. The female replied, "lol I'm too yng I guess; Sorry!!". "The Dark Father" responded, "Yeah but I don't mind being friends with you via texting; And when do you turn 16; Wish you were 18; Lol." The female provides that she will turn 16 in July and "The Dark Father" provides his age as 49 years old. "The Dark Father" sends a few more text messages telling the female that they can date when she turns 16 with her mother's consent and to let him know if she ever gets a cell phone number with a 716 area code. The presumed 15 year old female doesn't respond after these messages.

6. Later on March 11, 2017, at approximately 1:00 PM, "The Dark Father" sent the presumed 15 year-old female (herein after referred to as "the female") messages about some local events and asking if she liked "Japanese anime or cosplay." The female thanked "The Dark Father" for the ideas and said that she has never done "cosplay." "The Dark Father" then wrote, "Sorta do wonder what sexy outfits you do own lol." The female did not reply. Even later on March 11, 2017, at approximately 11:48 PM, "The Dark Father" sent a text message reading, "Well have a good nights sleep kitten."

7. On March 12, 2017 and March 13, 2017, "The Dark Father" sent the female casual messages saying hello and asking about her day. On March 13, 2017, "The Dark Father" sent a message reading, "Well you may have no school tomorrow."

8. On March 14, 2017, the female replied to the messages by saying, "Yah school is cancelled." "The Dark Father" replied by asking what she was doing and followed by saying, "And ya would love to get some sexy naughty photos of your sexy little kitten self." The female did not reply.

9. On March 15, 2017, "The Dark Father" sent a message to the female reading, "So I take it that we are no longer friends." The female did not respond.

10. On March 22, 2017, "The Dark Father" sent a message to the female reading, "Would love to get together with you sometime baby girl." The female responded by saying that she has been busy lately and apologizes for not responded to his past messages. "The Dark Father" asks how school is going and asks if the female wants to get together with him at 1:30 AM. The female tells him that she would have to sneak out and that she really cannot do that, especially on a school night. "The Dark Father" provided that he works at the airport and that generally he works until approximately 1:30 AM on most nights; then asks the female if she has any "sexy photos of her lovely self." The female tells him that she does not have any photos like that. "The Dark Father" then tells the female that he would like to get together with her on the weekend. The female says that maybe she could sneak out to meet him on Saturday night. Conversation continues and "The Dark Father" asks the female, "So teasing question are you on the pill? Lol; Don't know how old one has to be too use the birth control pill." The female responds that her mother would not let her get on the pill.

11. Later on March 22, 2017, "The Dark Father" and the female engage in further conversation. "The Dark Father" asks the female where she lives and tells her that he would love to see her that night. The female replies that she lives in Depew and she is not able to get together tonight. "The Dark Father" asks for more sexy photos in skirts and/or bra and panties, and asks the female her bra size. The female tells him that she wears a 32B bra to which "The Dark Father" responds, "more than enough to play with." "The Dark Father" follows with, "So do you like your nipples sucked on nibbled/bit on; Well I think that your breasts will be big enough to play with being that I have not seen them yet lol; especially because of your no photos rule lol." "The Dark Father" then asks the female if she has ever had sex with anyone, "Especially in your hot wet little kitty." The female says no, she is a little embarrassed, but she is a virgin. "The Dark Father" tells her that it is okay and that "embarrassing can be fun; think about it, I'm 49 years old hitting on a 15/16 year old cutie; And yes I would love to have naked photos of yourself in naughty positions." "The Dark Father" asks the female for her street address for when they do decide to get together; the female does not provide her address. The female does provide the names of a few stores near where she lives that she could walk to, and "The Dark Father" says, "Well walgreens sounds like a nice place to pick up a little cutie" followed by, "And like I said before about anal sex it is going to hurt for awhile until you get use to it i will try to be gentle with you but I will not be able to stop until I cum in your hot tight ass; And are you okay with me talking dirty to you while im taking you?; Or having you sucking hungerly on my cock after taking every inch of it deeply inside of your hot mouth." The female responds by saying that she thought it would hurt, but that he didn't mention anything about anal sex before. The female asks "The Dark Father" if he is hooking up with a lot of girls. "The Dark Father" tells the female that

he is only talking to her and two other ladies. "The Dark Father" goes on to describe how anal and vaginal sex will feel. He tells the female that both will hurt at first and there will be bleeding, "So I'll bring a towel." "The Dark Father" tells the female that he will use both lubrication and a condom while they have vaginal sex and just lubricant when they have anal sex; he tells the female not to tell any of her friends about him.

12. On March 23, 2017, HSI Buffalo agents performed open source queries of the phone number being used by "The Dark Father." Agents discovered that the phone number linked to a Facebook page for a, CHRISTOPHER CHASE (Wolfie) of Williamsville, NY. This Facebook profile contained the same image used by "The Dark Father" on the social networking application he used to communicate with the female.

13. Later on March 23, 2017, HSI Buffalo agents used a publically available website to query, CHRISTOPHER CHASE in Williamsville, NY. Agents discovered a link to a CHRISTOPHER CHASE (DOB: 10/01/1967) with last listed address of 89 Milton Street, Williamsville, NY.

14. HSI Buffalo agents obtained a New York Department of Motor Vehicles ("DMV") photograph of CHRISTOPHER CHASE (DOB: 10/01/1967). The photo provided by the DMV depicts the same male individual as depicted on the social networking profile of "The Dark Father."

15. Between March 23 – April 2, 2017, "The Dark Father" (hereinafter referred to as "CHASE") engaged in very graphic sexual conversation with the presumed 15 year-old female via text messages. On or about March 29, 2017, CHASE arranged to meet the female at Walgreens in Depew, NY on April 2, 2017 at 10:30 AM to engage in sexual activities. CHASE tells the female that he will have her give him "road head" while he drives somewhere private; he wrote, "And hopefully you'll be able to take all of my 8" cock deeply inside your hot little mouth; And it will give you a idea of what will be sliding deeply inside of your hot wet little kitten; And your hot tight ass; Over and over again." CHASE tells the female that he will be her teacher and that he will train her sexually. CHASE ensures the female hat he will bring condoms and lubricant to use when they meet.

16. On March 30, 2017, HSI Buffalo agents drove past address 89 Milton Street, Williamsville, NY and observed a red Volkswagon mini van, bearing NY license plate HGN9133, parked in front of the residence. Queries with the New York DMV revealed that this vehicle is registered to CHASE.

17. On April 2, 2017, at approximately 8:30 AM, CHASE sent the female a text message asking if she was awake. He went on to say that he wanted to meet even earlier than 10:30 AM, if possible.

18. On April 2, 2017, at approximately 10:10 AM, HSI Buffalo agents observed the red Volkswagon minivan registered to CHASE, parked just down the street from the Walgreens where he had arranged to meet the presumed 15 year-old female. CHASE was

engaged in text conversation with the presumed 15 year-old female at this time asking where she was, and what street she would be using to walk to Walgreens. The female told CHASE that she was almost there.

19. On April 2, 2017 at approximately 10:15 AM, CHASE pulled into the Walgreens parking lot. CHASE's vehicle was approached by HSI agents who gave him commands to exit the vehicle. CHASE complied and he was placed under arrest and handcuffed.

20. On April 2, 2017 at approximately 10:20 AM, CHASE was advised of his *Miranda* rights, which he stated he understood, and waived before agreeing to speak with agents. CHASE was transported to the HSI Williamsville office for interview. During the post – *Miranda* interview, CHASE told the agents, among other things: that he had met a girl on an online application; that during conversations with the girl, she told him that she was 15 years old; and that he arrived at Walgreens planning to meet and engage in sexual activity with this girl, that he thought was 15 years old.

21. Upon arrest, CHASE had three condoms and a bottle of sexual lubrication in his jacket pocket. Additional condoms, sexual lubricant, and a sexual toy were discovered in his van.

WHEREFORE, based on the foregoing, I respectfully submit that there is probable cause to believe that CHRISTOPHER CHASE did knowingly violate Title 18, United States Code, Section 2422(b), using a facility or means of interstate commerce to knowingly persuade, induce, entice, or coerce any individual who has not attained the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense, namely Rape in the Third Degree and Criminal Sexual Act in the Third Degree in violation of New York State Penal Law Sections 130.25(2) and 130.40(2).

KATHRYN M. GAMBLE
Special Agent
Homeland Security Investigations

Sworn to before me this 3rd
day of April, 2017.

JEREMIAH J. McCARTHY
United States Magistrate Judge